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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/532,208	03/22/2000	Douglas A. Hahn	A00554/11510-00013	8536

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EXAMINER

BUI, BING Q

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/532,208

Applicant(s)

Hahn et al

Examiner

Bing Bui

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 22, 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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DETAILED ACTION

1. Claims 1-16 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by McDuff et al (US Pat No. 6,490,350), herein after referred as McDuff.

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Regarding claim 1, McDuff teaches a system for automatically monitoring the status of one or more automatic call distributors (ACD) (see Abstract and Fig 1), the system comprising:

means for automatically establishing a communication link with said one or more ACDs (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54); and

means for automatically retrieving data from ACDs (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54).

Regarding claim 2, McDuff teaches the system as recited in claim 1, wherein said establishing means includes means for automatically connecting to said ACD (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54).

Regarding claim 3, McDuff teaches the system as recited in claim 2, wherein said establishing means includes means for automatically logging into said ACD (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54).

Regarding claim 4, McDuff teaches the system as recited in claim 2, further including means for processing the data retrieved from said one or more ACDs defining processed data (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 5-7, 9-10 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDuff (US Pat No. 6,490,350) in view of Branton, Jr et al (US Pat No. 5,870,558) cited by Applicant, herein after referred as Branton.

Regarding claims 5-7, 9 and 13-14, McDuff teaches the invention substantially as claimed in which he suggests means for providing a graphical user interface to display information regarding call center (i.e., ACD) activity at the supervisor/control workstation. As it can be seen, McDuff fails to explicitly teach the system for generating one or more web pages containing data retrieved from said one or more ACDs, one or more HTML files of processed data for presentation on a web page. However, Branton

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teach a system for monitoring a network element in which an authorized user can view a report or performance information from a network element by navigating through a series of HTML web (see col 4, lns 1-25).

Therefore, integrating Branton's teachings into monitoring system of McDuff would have been obvious for enhancing the monitoring process in which a call center authority can be provided more flexibility in tracking information associated with a selected ACD.

Regarding claim 10, McDuff teaches the method as recited in claim 9, wherein step (a) includes the steps of: (c) automatically connecting to said one or more ACDs; (d) automatically logging into said one or more ACDs; (e) retrieving data from said one or more ACDs (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54).

Regarding claim 12, McDuff teaches the method as recited in claim 9, wherein step (a) includes the steps of: (c) automatically connecting to said one or more ACDs; (d) automatically logging into said one or more ACDs; (e) retrieving data from said one or more ACDs (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54).

Regarding claim 15, McDuff teaches the method as recited in claim 12, wherein said other data is static data (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54).

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Regarding claim 16, McDuff teaches the method as recited in claim 14, wherein said static data is trunk inventory record keeping system (TIRKS) data (see Figs 1 and 3; and col 3, ln 35-col 4, ln 16; and col 5, lns 18-54).

6. Claims 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over McDuff (US Pat No. 6,490,350) in view of Ochy P. Et al (US Pat No. 5,555,297), herein after referred as Ochy.

Regarding claims 8 and 11, McDuff teaches the invention substantially as claimed, with the exception of providing means for transmitting portions of the retrieved data to a pager platform. However, Ochy teaches an ACD reporting system in which the data reports representative of the ACD are transmitted to a remote supervisor's pager.

Therefore, integrating Ochy's teachings into monitoring system of McDuff would have been obvious for enhancing the monitoring process in which a call center authority can be provided more flexibility in tracking information associated with a selected ACD.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number

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for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Jun 24, 2003



BING BUI
PATENT EXAMINER

Attachment for PTO-948 (Rev. 03/01, or earlier)
6/18/01

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.